

I, Robert Trapp, being first duly sworn, declare and say I am the Publisher of the **Rio Grande SUN**, a weekly newspaper published in the English language and having a general circulation in the County of Rio Arriba, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937. The publication, a copy of which is hereto attached, was published in said paper once each week for 4 consecutive weeks and on the same day of each week in the regular issue of the paper during the time of publication and the notice was published in the newspaper proper, and not in any supplement. The first publication being on the

**Publisher's Bill**631 lines one time at 441 70631 lines 3 times at 1,135.80Affidavit 5.00Subtotal 1582.50Tax 128.58Total 1,711.08Payment received at **Rio Grande SUN**Date 06-20-11By LV07 day of July, 2011and the last publication on the 28 day ofJuly, 2011. Payment for said advertisement has been duly made, or assessed as court costs. The undersigned has personal knowledge of the matters and things set forth in this affidavit.Robert Trapp PublisherSubscribed and sworn to before me this 28<sup>th</sup>  
day of July A.D. 2011Maria V. Lopez Garcia  
Maria V. Lopez Garcia /Notary Public  
My commission expires 13 July 2013

IN THE UNITED STATES  
DISTRICT COURT  
FOR THE DISTRICT OF  
NEW MEXICO  
STATE OF NEW MEXICO,  
EX REL.  
STATE ENGINEER  
PLAINTIFF,

69CV07941-BB  
VS.

RIO CHAMA STREAM  
SYSTEM  
ROMAN ARAGON, ET AL.,  
SECTION 7, RIO BRAZOS  
DEFENDANTS.

NOTICE AND ORDER TO  
SHOW CAUSE

TO ALL CLAIMANTS,  
KNOWN AND UNKNOWN,  
WHO CLAIM A RIGHT TO  
USE THE SURFACE OR UN-  
DERGROUND WATERS OF  
THE RIO BRAZOS SUBSEC-  
TION OF SECTION 7 OF  
THE RIO CHAMA STREAM  
SYSTEM  
AND TO ALL OF THE FOL-  
LOWING WHO CLAIM A  
RIGHT TO USE SURFACE  
WATER FOR IRRIGATION  
PURPOSES IN THE RIO  
BRAZOS SUBSECTION OF  
SECTION 7 OF THE RIO  
CHAMA STREAM SYSTEM  
AND WHOSE NAMES AP-  
PEAR BELOW:

PARKVIEW DITCH  
PRIORITY 1861

**Defendants:** Agapita Abeyta,  
Jose Gabriel Abeyta, Margar-  
et Abeyta, Roque N. Abeyta,  
Fred Anderson, Archdiocese  
of Santa Fe, Frank J. Archule-  
ta, Jose Belarmino Archuleta,  
Juanita Archuleta, Pedro  
Archuleta, Richard Archuleta,  
Sammy Archuleta, Beronice I.  
Archuleta, Joysree B. Au-  
brey, Marshall J. Blanton,  
Dorothy T. Blanton Trust  
Agreement, Connie Byrd,  
Jose A. Candelaria, Benito

Casados, Sylvia Casados,  
Thomas Casados, Vernon  
R. Casados, Casados Family  
Trust, Elaine Chavez, Fernan-  
do Chavez, Cecil L. Cox, Au-  
drey M. Eaton, Hugh L. Eaton,  
Lisa H. Eaton, Karel Fordyce,  
Teresa Galdean, Joyce Gallego-  
s, Richard I. Gallegos,  
George K. Galvan, Valentina  
V. Galvan, Frances D. Garcia,  
Thomas Gaylor, Glenn God-  
win & Theresa Godwin Family  
Trust, Maria Elena Gomez,  
Theodore Gonzales, Gloria  
Jean Grasmick, Josephine  
Hays, Vangie Cordova Her-  
rea, Dennis R. Herrera, High-  
land Ventures, Inc., Tito Jara-  
millo, Charles E. Knapp,  
Acencion Labrier, Marron  
Family Limited Partnership,  
Lip, Anselmo Lopez, Otilia Lo-  
pez, Elisa M. Salazar Mack-  
enzie, Bernabe Madrid, Caro-  
line Madrid, David Maestas,  
Dolores L. Maez, Emery  
Maez, Alice Martinez, Antho-  
ny R. Martinez, Ascencion D.  
Martinez, Candy S. Martinez,  
Chris H. Martinez, Conrad V.  
Martinez, Eduardo T. Marti-  
nez, Estate of Nicolas Marti-  
nez, Gilbert A. Martinez Jr.,  
Joanne C. Martinez, Joe E.  
Martinez, Johnny C. Martinez,  
Jose L. Martinez, Jose Lucas  
Martinez, Larry H. Martinez,  
Loide Martinez, Manuel G.  
Martinez Jr., Max A. Martinez,  
Philomena M. Martinez, Polly  
Martinez, Priscilla Martinez,  
Rose L. Martinez, Margarita  
E. Mercure, Yolanda M. Mon-  
taZo, Lorraine E. Montoya,  
Travis G. Moseley, NM State  
Game Commission, Eloy S.  
Olivas, Juanita I. Olivas, Hen-  
ry A. Palm, Willa S. Palm,  
Walter Joseph Piza, Letitia  
Rhodes, Jose I. Rivera, Prax-  
edes Rivera, Tito A. Rivera,  
Anthony M. Romero, Melvin  
K. Roybal, Jose B. Roybal  
Living Trust, Doris Salazar,  
Jose B. Salazar, Manuel S.  
Salazar, Maria D.M. Salazar,  
Robert A. Salazar, Angelina  
Sanchez, Eloy Sanchez, Ha-  
zel T. Sanchez, Joyce L. San-  
chez, Ralph Sanchez, Levi A.  
Sandoval, Rufina L. Sandoval,  
David Schwartz Bypass Trust,  
Johnny P. Silva, Christie L.  
Spill, Dolores Torrez, Joe M.  
Torrez, Juanita Torrez, Reyes  
Salomon Torrez, Robert Tor-  
rez, Victoria M. Torrez, Fer-  
nando Trujillo Sr., Fernando  
Trujillo III, Fernando Trujillo  
Jr., Horacio Trujillo, Manuel D.  
Trujillo, Marcela Doreen Bur-  
bank Trujillo, Margarita R.  
Trujillo, Viola Trujillo, Berna-  
dette Trujillo-salazar, Bernie  
Ulibarri, Frank Valdez, Grace  
G. Valdez, Leo V. Valdez,  
Teofila Valdez, Diolinda Var-  
oz, Anthony L. Vigil, Marcia  
Sue Vigil, Rudy Gilbert Vigil

ENSENADA DITCH  
PRIORITY 1861

**Defendants:** Emilie Luna An-  
thony, David F. Baca, Gloria  
F. Baca, Estate of Esther Bru-  
no, Pauline Bustos, Estate of  
Olivia Carmody, Cynthia Ca-  
sados, Casados Partnership,  
Tony Casados, Sr. & Sons,  
Prtnrshp., Ashley D. Cordova,  
Ben R. Cordova, Clyde C.  
Cordova, Cynthia A. Cordova,  
Deborah Cordova, Donald P.  
Cordova, Genevieve Cordova,  
Georgia M. Cordova, Hazel  
Cordova, Hazel Ann Cordova,

James P. Cordova, Monica A.  
Cordova, Neida Cordova, Oli-  
via M. Cordova, Orlando M.  
Cordova, Paul M. Cordova,  
Sharon Cordova, Tomas R.  
Cordova, Cecil L. Cox, Bruce  
R. Duran, Gumerindo F.C.  
Duran, Michelle L. Duran,  
Eduilia Estrada, Ramon Estra-  
da, Eugene B. Foote, Mary V.  
Foote, Karel Fordyce, Maria  
F. Gallegos, Roseann Galle-  
gos, Ernestine Garcia, Pete  
Garcia, Peter Garcia Jr., Tho-  
mas Gaylor, Maria Elena Go-  
mez, Theodore Gonzales,  
Marcella Hasson, Louis R.  
Jaramillo, Tito Jaramillo,  
Acencion Labrier, Roy C. Lo-  
pez, Frank D. Luna IV, Gilbert  
Luna Sr., Hilario Luna, Salo-  
mon A. Luna, Bernabe Ma-  
drid, Caroline Madrid, Agapito  
"Pete" Maestas, Albert M.  
Martinez, Alice Martinez, An-  
thony R. Martinez, Chris Mar-  
tinez, Chris R. Martinez, Ed-  
die Martinez, Gloria Martinez,  
Jacob Martinez, Joe L. Marti-  
nez, Jose Lucas Martinez, Jo-  
seph A. Martinez, Larry Marti-  
nez, Lionel E. Martinez II,  
Loyola Martinez, Luis E. Mar-  
tinez, Manuel G. Martinez Jr.,  
Mary Ida B. Martinez, Orlando  
Martinez, Raymond L. Marti-  
nez, Rebecca Martinez, Rob-  
erto Martinez, Rose Martinez,  
Socorro Martinez, Manuel and  
Alice Martinez Trust, Amelia  
Montano, Vicente Montano,  
Sixto Montoya, Don Dell  
Mulder, Charles Mahlon Mur-  
phy, Tira L. Ouellette, Ferlinda  
Pesata, Jose B. Rivera, Oralia  
Rivera, Anna S. Rodela, Jo-  
seph Ray Rodela, Loyda Ro-  
dela, Maria Elena Rodela, Ro-  
nald B. Rodela, Steven Rode-  
la, Carlos J. Romero Jr., Pe-  
dro Romero, Janet Rosas,  
Jose B. Roybal Living Trust,  
Angelina Sanchez, Eloy San-  
chez, Joe R. Sanchez, Robert  
F. Sanchez, Mikael Saunders,  
Howard M. Sleeper, Estate,  
Bernie Ulibarri, George A.  
Valdez, Joe I. Valdez, Miguel  
Valdez, Olivia M. Valdez, Tive  
Valdez, Geraldine Valencia,  
Larry Valencia, Margaret M.  
Valerio, Velasquez, Inc., Mar-  
cia Sue Vigil, Rudy Gilbert  
Vigil

PORVENIR DITCH  
PRIORITY 1894

**Defendants:** Andrews Living  
Trust, Nancy Bell, Tony Casa-  
dos, Sr. & Sons, Prtnrshp., D.  
Mario Chavez, Emily Ulibarri  
Chavez, Michael Fonte, Acen-  
cion Labrier, Frank A. Maes-  
tas, Lucy P. Maestas, Rose  
Ellen Marquez Manning, Alice  
Martinez, Chris Martinez,  
Chris R. Martinez, Eddie Mar-  
tinez, Frank A. Martinez,  
Frank R. Martinez, Laverne  
Martinez, Lilliana R. Martinez,  
Louisa Martinez, Manuel A.  
Martinez Jr., Manuel G. Marti-  
nez Jr., Robert A. Martinez,  
Roberto Martinez, Rosa D.  
Martinez, Rose M. Martinez,  
Tracy Martinez, Berta J. Ro-  
mero, Hope R. Roybal, Jo-  
seph G. Roybal, Jose B. Roy-  
bal Living Trust, Margaret  
Roybal, Joseph David San-  
chez, Manuel D. Trujillo, Man-  
uel De Atocha Trujillo, Marcel-  
la Doreen Burbank Trujillo,  
Henry Ulibarri, Mabel C. Uli-  
barri, Velasquez, Inc., Doro-  
thy Wardlow, T.J. Wardlow

LOS BRAZOS COMMUNITY

**Defendants:** Elvira S. Abey-  
ta, Jose M. Abeyta, Margarita  
V. Atencio, Silviano Atencio,  
Lily Bateman, Bidal A. Cande-  
laria, Consuelo J. Candelaria,  
Olivia M. Cordova, Epimenia  
B. Gallegos, Frank A. Galle-  
gos, Harold M. Gallegos,  
Mary F. Gallegos, Carole Go-  
mez, Michael Gomez, Rita  
Madrid, Debra Patricia Marti-  
nez, Estefanita Abeyta Marti-  
nez, Jose Maria Martinez Jr.,  
Medardo Sanchez, Rita Truji-  
llo, Abel Valdez, Cleo B. Val-  
dez, Crystal H. Valdez, Gloria  
C. Valdez, Joe B. Valdez,  
Justiniano A. Valdez, Manuel  
F. Valdez, Prescilla Valdez,  
Roxanne H. Valdez, Theresa  
Valdez, Charlie S. Vance, Lor-  
raine T. Vance, Carla A. Vigil

QUITOS DITCH PRIORITY  
1861

**Defendants:** Donald Abeyta,  
Eloisa S. Abeyta, Gregorio  
Abeyta, Teodoro E. Abeyta,  
Marshall J. Blanton, Dorothy  
T. Blanton Trust Agreement,  
Mary Alice Casados, Russell  
Casados, Elizabeth Chavez,  
Whitney Durell, Felix R. Galle-  
gos, Leontina Gallegos, Gal-  
legos Family Trust, Maria  
Abeyta Garcia, Ida S. Marti-  
nez, Jonetta L. Martinez,  
Nicholas Martinez Estate,  
Robert Martinez Jr., Robert  
A. Martinez, Delfin O. and  
Francis Quintana Trust, Doris  
Salazar, Fernando Salazar,  
Jose B. Salazar, Bernie Uli-  
barri, Michael C. Ulibarri

MARTINEZ DITCH  
PRIORITY 1861

**Defendants:** Eloisa S. Abey-  
ta, Elizabeth Chavez, Whitney  
Durell, Ida S. Martinez, Jonet-  
ta L. Martinez, Robert Marti-  
nez Jr., Robert A. Martinez,  
Walter Joseph Piza, Delfin O.  
and Francis Quintana Trust,  
Fernando Salazar

BRAZITO DITCH LATERAL  
PRIORITY 1861

**Defendants:** Elvira S. Abey-  
ta, Jose M. Abeyta, Ruby  
Abeyta, Natividad Chavez  
Ranch Properties, LLC, Co-  
dling Family Trust, Frank A.  
Gallegos, Mary F. Gallegos,  
Jose Maria Martinez Jr., Eloy  
S. Olivas, Juanita I. Olivas,  
Joe Pino, Juanita Pino, Miguel  
Antonio Salazar, Jose A. San-  
chez, Pauline Sanchez, San-  
chez Family Trust, The El Lia-  
no Co., Inc., Abel Valdez, Joe  
B. Valdez, Prescilla Valdez

LA PUENTE DITCH  
PRIORITY 1861

**Defendants:** Gale A. Abeyta,  
Mark D. Abeyta, Sherry J.  
Abeyta, Beronice Ignacia  
Archuleta, Beverly Ann Archu-  
leta, Pedro Antonio Archuleta  
IV, Lillie Chavez, Rudolph A.  
Chavez, Vivian Chavez, Dore-  
ene Tafoya Cleland, Max Cle-  
land, Christine M. Cordova,  
Joseph G. Cordova, Prescilla  
Hunzel, Laguna Vista Town-  
site Inc., Felix Madrid, Norma  
E. Madrid, Darlene A. Man-  
uele, Carlos R. Manzanares,  
Debbie Manzanares, Joann L.  
Manzanares, Juan F. Manza-  
nares, Mariano S. Manza-  
nares, Mary Leah Manza-  
nares, Ruben Manzanares Jr.,  
Tony J. & Natividad M. Manza-  
nares Family Trust, Lorenzo  
Zuniga Jr. and Maria E. Vare-  
la Family Trust, Juan A. Mar-  
tinez, Leroy J. Martinez, Na-

vora Martinez, Rosina Marti-  
nez, Stephanie E. Martinez,  
Theresa S. Martinez, Elaine L.  
Mayer, Frederick L. Mayer,  
Baudelia M. Mercure, Vin-  
cent Mercure, Joyce Nen-  
ninger, Emma Padilla, Ri-  
chard Padilla, Estate of Ame-  
lia C. Pond, Harry Sanchez,  
Theresa Sanchez, Andrew M.  
Tafoya, Jose P. Tafoya, Kathy  
R. Tafoya, Lisa Tafoya, Lor-  
raine Tafoya, Lucy Tafoya,  
Lucy M. Tafoya, Stella D. Ta-  
foya, Felicitas Trujillo, Philip  
G. Trujillo, Willie Trujillo Jr.,  
Ernesto R. Ulibarri, Rosemary  
Ulibarri

ACEQUIA DE LAS TRES  
PLUMAS PRIORITY

1880

**Defendants:** Elvira S. Abey-  
ta, Jose M. Abeyta, Jose  
Damian Eturriaga, Frank A.  
Gallegos, Harold M. Gallegos,  
Mary F. Gallegos, Jose Maria  
Martinez Jr., John P. Zamora,  
Maria De La Luz Zamora

CHAVEZ CREEK DITCH  
PRIORITY 1892

**Defendants:** Tony Casados,  
Sr. & Sons, Prtnrshp.

PRIORITY 1894

**Defendants:** Alvin Eversgerd,  
Belva Eversgerd, Anthony T.  
Garcia, Debbie L. Garcia, J.  
Patrick Garcia, J. Placido Gar-  
cia Jr., Munira K. Garcia

CHAVEZ CREEK DITCH  
NO. 2 PRIORITY

February 19, 1915

**Defendants:** Joe and Rosina  
Garcia Revocable Trust

RICE DITCH PRIORITY  
March 25, 1935

**Defendant:** Marshall J. Blan-  
ton, Dorothy T. Blanton Trust  
Agreement

PHIL CORKIN INFILTRA-  
TION GALLERY PRIORITY

October 22, 1945

**Defendants:** Corkin's Lodge  
You are hereby notified that  
the Court has entered an or-  
der requiring you to file an ob-  
jection with the Court if you  
disagree with the State's pro-  
posed determination of the  
priority date of your water  
right and ditch, or the priority  
dates for any other community  
or private ditch in the Brazos  
Subsection of Section 7 of the  
Rio Chama Stream System  
("Brazos Subsection") as de-  
scribed above. The priority  
dates for the ditches listed  
above will apply to all individu-  
al irrigation water rights  
served by the ditches listed,  
unless you or other persons  
file objections. The priority  
dates for ditches listed above  
will also apply to a spring that  
serves as a source of water  
for irrigators under those  
ditches, and which is describ-  
ed on individual subfile or-  
ders filed with the Court. De-  
fendants that have previously  
agreed to a priority date for  
their water rights in the Bra-  
zos Subsection in subfile or-  
ders filed with the Court may  
not object to the dates of their  
own water rights, but may file  
objections to the proposed de-  
termination of the priority  
dates of other water users.  
In addition, you are hereby  
notified that the Court has en-  
tered an order requiring you to  
file an objection with the Court  
if you disagree with the  
State's proposed determina-  
tion of the irrigation water re-

Payment received at R

Date 06-20

By

quirements for surface water irrigation use in the Brazos Subsection for lands irrigated under pre-1907 ditches as described below:

a. The weighted consumptive irrigation requirement (CIR) is 1.11 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 2.78 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 4.63 acre-feet per acre per annum.

The ditches in the Brazos Subsection to which the above amounts apply are all of the ditches identified above with the exception of Chavez Creek No. 2, Rice Ditch and Phil Corkin Infiltration Gallery. You are hereby notified that you are required to file an objection with the Court if you disagree with the State's proposed determination of the irrigation water requirements for surface water irrigation use on lands in the Brazos Subsection that are irrigated under final licenses issued by the Office of the State Engineer, as described below:

**Chavez Creek Ditch No. 2:**

a. The weighted consumptive irrigation requirement (CIR) is 1.11 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 1.34 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.23 acre-feet per acre per annum.

**Rice Ditch:**

a. The weighted consumptive irrigation requirement (CIR) is 1.11 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 1.51 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.52 acre-feet per acre per annum.

**Phil Corkin**

**Infiltration Gallery:**

a. The weighted consumptive irrigation requirement (CIR) is 1.11 acre-feet per acre per annum.

b. The farm delivery requirement (FDR) is 1.50 acre-feet per acre per annum.

c. The project diversion requirement (PDR) is 2.50 acre-feet per acre per annum.

The term "Consumptive Irrigation Requirement" ("CIR") refers to the quantity of water, expressed in acre-feet per acre per year, exclusive of effective precipitation, that is consumptively used by plants or is evaporated from the soil surface during one calendar year. The term "Farm Delivery Requirement" ("FDR") refers to the quantity of water expressed in acre-feet per acre per year, exclusive of effective precipitation, delivered to the farm headgate or which is diverted from a source of water which originates on the farm itself, such as a well or spring, necessary to satisfy the consumptive irrigation requirements of crops grown on a farm in one calendar year. The "Project Diversion Re-

quirement" ("PDR") or off-farm diversion requirement is defined as the quantity of water, exclusive of effective precipitation, which is diverted from the stream or an off-farm source to satisfy the farm delivery requirement for one calendar year. The irrigation water requirements set forth above do not include diversion requirements associated with stock ponds or other impoundments determined to have valid water rights in these proceedings.

If you agree with the priority dates and irrigation water requirements described above, you do not need to take any action. If any objections are filed by any persons you may participate in the proceedings to resolve those objections. If no objections are filed, the Court will enter an order that recognizes the elements of the water rights for surface water irrigation use in the Brazos Subsection as described above. If you disagree, you must follow the instructions below.

This will be your only opportunity in these proceedings to object to the determination of priority dates or irrigation water requirements in the Brazos Subsection. Subsequent inter se proceedings in the Brazos Subsection will not include the opportunity to object to those determinations.

IT IS THEREFORE ORDERED THAT if you object to any of the priority dates stated above, or to the irrigation water requirements for surface water irrigation use in the Brazos Subsection as stated above, you must file your objection with the Court, in person or by mail, **FOR RECEIPT NO LATER THAN September 2, 2011:**

United States District Court Clerk

333 Lomas Blvd. NW, Suite 270

Albuquerque, NM 87102

If you timely file an objection the Special Master will notify you of a mandatory scheduling and pretrial conference, where you will learn how objections will be heard by the Court. This will be your only opportunity to object to these elements of your water rights or any other water rights. If you fail to timely object and attend the scheduling and pretrial conference you may not raise objections in the future.

If you have any questions, call or write:

Edward G. Newville  
Special Assistant

Attorney General  
Office of State Engineer  
P.O. Box 25102

Santa Fe, NM 87504-5102  
(505) 867-7444 phone  
(505) 867-2299 facsimile

or,

John W. Utton

Attorney for Asociación de Acéguas Nortenas de Rio Arriba  
Sheehan & Sheehan, P.A.  
P.O. Box 271

Albuquerque, NM 87103-0271

(505) 899-1445 telephone

(505) 842-8890 facsimile

BRUCE D. BLACK

UNITED STATES

DISTRICT JUDGE

Approved:

VICKIE L. GABIN

SPECIAL MASTER

(Published July 7, 14, 21 28, 2011)